

Appl. No. 10/023,118

REMARKS

This is in response to the Office Action of 11 August 2004. Claims 1-10 are pending in the application, and Claims 1-10 have been rejected.

By this Response and Amendment, Claims 1-10 are amended, new Claims 11-15 are added, and arguments traversing the rejections are presented.

No new matter has been added.

In view of the amendments above and remarks below, Applicants respectfully request reconsideration and further examination.

About The Invention

The present invention relates generally to methods and apparatus for providing wireless stick-on data carriers to electronic products so that information may be communicated between the wireless stick-on data carrier and the electronic product.

Non-Narrowing Amendments to Claims 1-10

The Claims have been amended in a non-narrowing manner to remove the reference numerals therefrom. Applicants intend no reduction in the scope of the Claims by this amendment.

Claim Objections

Claim 1 has been rejected to because of an Informality. More particularly, the Examiner notes that "detachably connection" should be "detachably connected" and has required appropriate correction.

Claim 1 has been amended in a non-narrowing manner to correct the grammatical error noted by the Examiner.

Appl. No. 10/023,118

Rejections under 35 USC §102(b)

Claims 1-2 and 5 have been rejected under 35 USC §102(b) as being anticipated by Benson, European Patent No. 0785634.

For at least the reasons set forth below, Applicants respectfully traverse the rejection of Claims 1-2 and 5 under 35 USC §102(b) and request that these rejections be withdrawn.

Benson discloses a wired connection between an internal connection point within a mobile phone, and a Subscriber Identification Module disposed in a holder attached to an outer surface of the housing of the mobile phone. Benson discloses using very thin flex cable to wire through a gap in the cover of the mobile phone in order to make the connection.

Independent Claim 1 recites a "second communication means for contactless retrieval of control information". Benson simply does not disclose a contactless, i.e., wireless, communication path between a data carrier and such a second communication means. Indeed, Benson does not disclose a second communication means at all, but rather only provides a wired connection to the conventionally present circuitry of a mobile phone.

There is no disclosure, suggestion, or motivation in Benson regarding the second communication means for contactless retrieval of control information as recited in independent Claim 1. In view of the foregoing, Applicants respectfully submit that the rejection of independent Claim 1, and Claims 2 and 5, which depend therefrom, under 35 USC §102 are improper and should be withdrawn.

Rejections under 35 USC §103(a)

Claim 3 has been rejected under 35 USC §103(a) as being unpatentable over Benson (European Patent No. 0785634) in view of Amtmann, et al. Claims 4 and 6 have been rejected under 35 USC §103(a) as being unpatentable over Benson (European Patent No. 0785634) in view of Haffenden (US Patent

Appl. No. 10/023,118

6,226,189). Claims 7-10 have been rejected under 35 USC §103(a) as being unpatentable over Benson (European Patent No. 0785634) in view of Raith (US Patent 6,510,515).

For at least the reasons set forth below, Applicants respectfully traverse the rejection of Claims 3-4 and 6-10 under 35 USC §103(a) and request that these rejections be withdrawn.

The Examiner has rejected Claims 3-4 and 6-10 over Benson, in view of various combinations of the other references noted above. However, as stated in Applicants arguments with respect to the rejections under 35 USC §102(b), Benson only discloses a wired connection between an internal connection point within a mobile phone, and a Subscriber Identification Module disposed in a holder attached to an outer surface of the housing of the mobile phone. Benson's wired connection is made using very thin flex cable to wire through a gap in the cover of the mobile phone.

All of Applicants' Claims 1-10 include a limitation directed the "second communication means for contactless retrieval of control information". Benson does not disclose a contactless, i.e., wireless, communication path between a data carrier and such a second communication means. Benson does not disclose a second communication means at all, but rather discloses a wired connection to the conventionally present circuitry of a mobile phone.

There is no disclosure, suggestion, or motivation in the combination of references cited by the Examiner regarding the inclusion of a second communication means for contactless retrieval of control information as recited by Applicants. In view of the foregoing, Applicants respectfully submit that the rejection of Independent Claims 3-4 and 6-10, under 35 USC §103(a) are improper and should be withdrawn.

Appl. No. 10/023,118

New Claims 11-15

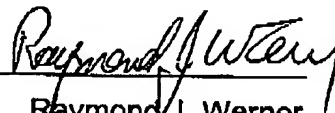
New Claims 11-15 each depend from amended independent Claim 1. These Claims recite various additional aspects of the invention such as the data carrier being magnetically attached, the data carrier being embedded in an adhesive label, having a plurality of data carriers, having at least two data carriers stacked on each other, and having the processing device be an MP3 player. Support for these new Claims can be found generally throughout the specification, and can be found more particularly at pages at pages 7-8 and Fig. 2.

Conclusion

All of the rejections in the outstanding Office Action of 11 August 2004 have been responded to, and Applicants respectfully submit that the pending Claims 1-15 are now in condition for allowance.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

By 
Raymond J. Werner
Reg. No. 34,752

Dated: 24 September 2004
Hillsboro, Oregon